

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CITY OF EVERETT, a Washington  
municipal corporation,

Plaintiff,

V.

PURDUE PHARMA, L.P., a Delaware limited partnership; PURDUE PHARMA, INC., a New York corporation; THE PURDUE FREDERICK COMPANY, INC., a New York corporation; and JOHN AND JANE DOES 1 THROUGH 10, individuals who are executives, officers, and/or directors of Purdue.

### Defendants.

Case No. 2:17-CV-00209

**STIPULATED MOTION AND  
ORDER REGARDING BRIEFING  
SCHEDULE AND PAGE LIMITS ON  
MOTION TO DISMISS**

## **STIPULATION**

1. Defendants Purdue Pharma L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, Inc. (collectively, “Defendants”) have filed a Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(B)(6) [Dkt. No. 8] (the “Dismissal Motion”).

2. The deadline for Plaintiff City of Everett (“Plaintiff”) to file its opposition papers to the Dismissal Motion is currently May 10, 2017. *See* Dkt. No. 11. Due to unanticipated emergencies in other matters and other unexpected scheduling issues, counsel for Plaintiff have requested a short, 6-business day extension to May 18, 2017.

1       3. Counsel for Defendants do not oppose this request, and request a corresponding  
2 short extension of the deadline for Defendants to file their reply brief. Specifically, Defendants  
3 request to file their reply brief on June 8, 2017 and re-note their Dismissal Motion for June 9, 2017.

4       4. In addition, the Court previously granted the Plaintiff permission to file an over-  
5 length opposition brief, permitting 6 additional pages. *See* Dkt. No. 13. In negotiating that  
6 extension, the Plaintiff agreed to allow the Defendants an equivalent extension of 3-pages for their  
7 reply. Accordingly, the Defendants request three additional pages for their reply brief, which  
8 Plaintiff does not oppose.

9       5. Counsel for the parties have met and conferred in good faith regarding the deadlines,  
10 briefing schedule, and page limits, and believe there is good cause for the requested extensions of  
11 time, proposed briefing schedule, and page limits, and the parties' stipulation will not delay this  
12 proceeding or cause prejudice.

13       6. Accordingly, pursuant to the parties' stipulation, and subject to the Court's  
14 approval, the parties specifically agree as follows:

- 15           (a) The deadline for Plaintiff to file its opposition brief to the pending Dismissal  
16           Motion is extended to May 18, 2017.
- 17           (b) The deadline for Defendants to file their reply brief is extended to June 8,  
18           2017.
- 19           (c) Defendants may file an over-length reply brief not to exceed 15 pages in  
20           length.
- 21           (d) The pending Dismissal Motion shall be re-noted to June 9, 2017.

23       **SO STIPULATED** this May 3, 2017.  
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## **ORDER**

Pursuant to the above Stipulated Motion, **IT IS ORDERED:**

1. The deadline for Plaintiff to file its opposition brief to the pending Dismissal Motion is extended to May 18, 2017.
2. The deadline for Defendants to file their reply brief is extended to June 8, 2017.
3. Defendants may file an over-length reply brief not to exceed 15 pages in length.
4. The pending Dismissal Motion shall be re-noted to June 9, 2017.

DATED this 4th day of May, 2017.



**RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE**